



THE STATE BAR OF CALIFORNIA

OFFICE OF ADMISSIONS

JEROME BRAUN, *Senior Executive*

MEMORANDUM

Date: March 1, 2004

To: Pasadena Laptop Test Center February 2004 California Bar Examination Applicants

From: Jerome Braun, Senior Executive for Admissions

Re: **INFORMATION ON THE EFFECT OF TEST CENTER FLOODING
ON THE GRADING OF THE FEBRUARY 2004 CALIFORNIA BAR
EXAMINATION**

Because of the fierce rain storm during the evening of Wednesday, February 25, 2004, the Pasadena Laptop Test Center was flooded and part of the examination area was rendered unusable. This was discovered by staff when they arrived at the test center in the early morning of Thursday, February 26, 2004. Facility management, Office of Admissions staff, and engineers worked together to address the situation, but the doors for the first session at the test center could not be opened until 11:30 a.m. Because electricity for the computers and water can create a hazard, staff and the facility representatives took every action possible to ensure the safety of those in attendance, as well as to provide a testing environment that was adequate for taking an examination. The delay in being able to admit test takers meant that one of the sessions scheduled for Thursday would have to be cancelled or that the examination day would have to be extended, perhaps well into the evening. Since many applicants had travel plans for that evening and others had childcare concerns, staff recommended to the Chair of the Committee of Bar Examiners (Committee) that Performance Test B, scheduled for the afternoon session, be cancelled. Staff recommended that Performance Test B be cancelled rather than the morning essay questions because a session of three questions provides more reliability than does a session with only one question. The Chair of the Committee agreed with staff's recommendation. The doors to the test center were opened and applicants were admitted before the end of the morning session at other examination test centers so as to minimize risks to the security and integrity of the examination.

This incident was reported to the Committee and several Committee members visited the test center while the examination was in session on Thursday. The Committee will be meeting on March 19, 2004, and during that meeting it will discuss the incident and receive recommendations from its psychometric consultant as to adjustments that should be taken to ensure that all test takers are treated fairly and equitably. Similar recommendations and adjustments

were made in 1989 after an earthquake necessitated vacating a test site in Pomona and the cancellation of one session of that examination at that site. In the interim, the test books have been collected and grading of the individual written answers will commence on schedule. Fairness to the applicants taking the examination at the Pasadena Laptop Test Center, as well as to the entire examination population, is of paramount importance to the Committee, and it will take the necessary steps to ensure the validity of the examination process is maintained.

The Committee will give you notice of the steps it will take shortly after its meeting on March 19, 2004. Results from the examination are still set to be released on May 21, 2004. If they wish, applicants, who are unsuccessful on the examination, may submit their concerns about the grading process following the release of results.

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